

Appl. No. 10/537,957

Amendment to office action dated July 23, 2007

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REMARKS

Claim 1 has been amended. Claims 2 to 7 remain unchanged. No new matter has been added.

Claim 1 has been amended to recited "a first valve, located in the well *at a level within the oil-producing formation*", which is not disclosed in the citations relied on by the Examiner.

Examiner acknowledges that Iato et al (US 5,873,410) does not disclose a "sidetrack", but appears to argue that if Iato is modified to have a sidetrack as taught in Ramos, then the claimed invention is disclosed. However, the amendments render such an argument moot.

Specifically, the non-return valve 24 of Iato is described as being arranged in a seal assembly 26 located at a point above the rock seam 14 (see column 3 lines 5-7) which produces a mixture of hydrocarbons and water (see column 4 lines 13-14); but this is different from the present application in which the first valve is located within the level of the oil-producing formation and *not* above it (see Figures 1 to 5 in which the valve 22 is within the oil-producing formation 16).

Thus, even if a skilled person was prompted to connect a sidetrack to the system of Iato and this was done at the non-return valve 24 of Iato, the location of this valve is located above the oil-producing formation and thus clearly has different fluid dynamics to that of the present application.

Claim 1 is further distinguished in reciting a "a second valve; located in the well *at a level below the oil-producing formation*". The second valve 60 of Iota is also located above the formation 14. Claim 1 already recites that the second valve is operable to "prevent flow from the portion of the vertical section below the oil-production formation ...".

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Applicant submits that claims 2 to 8 all depend from claim 1 and are therefore allowable for the same reasons.

This paper is submitted in response to the Office Action mailed July 23, 2007 for which the three-month date for response was October 23, 2007. Pursuant to 37 C.F.R. § 1.136(a), Applicants petition for an extension of time of two months in which to respond to the Office Action. This two month extension will bring the deadline for response to December 23, 2007 which is within the six-month statutory period.

Please apply any charges not covered, or any credits, to Deposit Account 50-2183 (Reference Number 21.1053).

Dated: December 18, 2007

Respectfully submitted,

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